

910715 ME

ORIGINAL

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

JUL 16 3 25 PM '91

In re Applications of )  
WIND 'N SEA FM LIMITED PARTNERSHIP )  
For Construction Permit for a )  
New FM Station on Channel 295A )  
(106.9 MHz) in Ocean City, MD )  
To: The Commission )

AUDIO SERVICES  
File No. BPH-901224ME

ORIGINAL

RECEIVED

JUL 15 1991

ORIGINAL

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

PETITION FOR LEAVE TO AMEND AND AMENDMENT

WIND 'N SEA FM LIMITED PARTNERSHIP ("Wind 'n Sea"), pursuant to Sections 1.65(a) and 73.3522(a)(2) of the Commission's Rules, 1/ hereby petitions for leave to amend its application. The Amendment, a copy of which is attached hereto, specifies a new transmitter location for Wind 'n Sea because it has received a hazard determination from the Federal Aviation Administration (the "FAA").

1. The FAA's determination that Wind 'n Sea's initial transmitter location would be a hazard to air navigation is based upon intermodulation interference. This determination was received by Wind 'n Sea's engineer on June 13, 1991. (See, Attachment A).

2. The amendment meets the "good cause" test set forth in Erwin O'Connor Broadcasting Co., 22 FCC 2d 140, 143, 18 RR 2d 820, 824 (Rev. Bd. 1970).

RECEIVED

JUL 16 1991

1/ 47 C.F.R. §§ 1.65(a), 73.3522(a)(2).

FM EXAMINERS

3. The amendment meets the other portions of the "good cause" test, as well. This amendment is not required by the voluntary act of Wind 'n Sea. The amendment results from the preliminary determination of the FAA that Wind 'n Sea's antenna tower could pose a hazard to air navigation because of possible intermodulation effects. No modification of issues or parties will be necessary: Wind 'n Sea's application has not been designated for hearing, the amendment will allow Wind 'n Sea to cure a potentially disqualifying defect. No other Ocean City applicant will be prejudiced by the amendment. Wind 'n Sea disclaims any comparative coverage advantage that might result from its amended antenna tower location.


4. Good cause exists for acceptance of the Wind 'n Sea amendment. Erwin O'Connor, supra, 22 FCC 2d at 143. Contrast, Texas Communications Limited Partnership, 5 FCC Rcd 1592, 68 RR 2d 656 (Rev. Bd. 1990) (subsequent history omitted) (applicant waits until 9 months after designation to meet FAA objection; no good cause).

WHEREFORE, having shown good cause, Wind 'n Sea respectfully requests that the Commission grant this Petition for Leave to Amend its application.

Respectfully submitted,

WIND 'N SEA FM  
LIMITED PARTNERSHIP

By:



J. Jeffrey Craven  
BESOZZI & GAVIN  
1901 L Street, NW  
Suite 200  
Washington, D.C. 20036  
(202) 293-7405

Its Attorneys

Dated: July 15, 1991  
/a/0653/first.amd

ATTACHMENT A



U.S. Department  
of Transportation

Federal Aviation  
Administration

202-457  
6635

Eastern Region

John

Hopson  
14/6/91.

HHH  
653  
com

Fitzgerald Federal Building  
John F. Kennedy  
International Airport  
Jamaica, New York 11430

ATTACHMENT A

MAY 28 1991

Lead  
Com-  
13/6/91

Wind 'N Sea FM Limited Partnership  
c/o Mr. D.B. Williamson P.E.  
Consulting Engineer  
P.O. Box 246  
Queenstown, MD 21658

RE: Aeronautical Study No. 91-AEA-0453-OE

Dear Mr. Williamson:

A preliminary study has been conducted on the above referenced aeronautical study under the provisions of Part 77 of the Federal Aviation Regulations to determine whether the proposed construction would be an obstruction to air navigation and whether there would be an electromagnetic radiation effect on the operation of air navigation facilities. The findings of that study are as follows:

The proposed construction's broadcast frequency (106.9 MHz 3 KW) combining with the broadcast frequency of proposed station (106.5 MHz) and existing station WQHQ (104.7 MHz 33 KW) would produce an intermodulation frequency of 108.7 MHz. This is the frequency assigned to the Salisbury, MD localizer on Runway 32. This intermodulation will present interference to aircraft using the Runway 32 ILS approach.

Further aeronautical study is necessary to determine whether the structure would be a hazard to air navigation. Pending completion of any further study, it is presumed the construction would be a Hazard to Air Navigation.

Further study may be requested in writing by the sponsor within 30 days of this letter. This request should be directed to:

Federal Aviation Administration  
System Management Branch, AEA-530  
Fitzgerald Federal Building  
JFK International Airport  
Jamaica, NY 11430

Any questions regarding this mater can be directed to the Frequency Management Staff, on telephone number (718) 917-1191.

If the structure is subject to the licensing authority of the FCC, a copy of this letter will be sent to that Agency.

Sincerely,

Robert P. Alwood

for Francis T. Jordan, Jr.  
Airspace Specialist  
System Management Branch

15/6

Called Fran Jordan. Referred to John  
Hepson. FAA. Freq. Coord.  
group. Site re-location req'd.  
D.

APPLICATION FOR CONSTRUCTION PERMIT FOR COMMERCIAL BROADCAST STATION

For COMMISSION Fee Use Only	FEE NO:	For APPLICANT Fee Use Only Is a fee submitted with this application? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	FEE TYPE:	
	FEE AMT:	If fee exempt (see 47 C.F.R. Section 1.1112), indicate reason therefor (check one box): <input type="checkbox"/> Noncommercial educational licensee <input type="checkbox"/> Governmental entity
	ID SEQ:	FOR COMMISSION USE ONLY FILE NO.

Section I - GENERAL INFORMATION

1. Name of Applicant Wind 'n Sea FM Limited Partnership RECEIVED JUL 15 1991 FEDERAL COMMUNICATIONS COMMISSION OFFICE OF THE SECRETARY			Send notices and communications to the following person at the address below: Name J. Jeffrey Craven, Esquire Besozzi & Gavin		
Street Address or P.O. Box 6556 Ocean Pines			Street Address or P.O. Box 1901 L Street, N.W., Suite 200		
City Berlin	State MD	ZIP Code 21811	City Washington, D.C.	State	ZIP Code 20036
Telephone No. (Include Area Code) (301) 641-8267			Telephone No. (Include Area Code) (202) 293-7405		

2. This application is for: ☐ AM ☒ FM ☐ TV

(a) Channel No. or Frequency Ch. 295A	(b) Principal Community Ocean City	City Ocean City	State MD
--	---------------------------------------	--------------------	-------------

(c) Check one of the following boxes:

☐ Application for NEW station

☐ MAJOR change in licensed facilities; call sign: \_\_\_\_\_

☐ MINOR change in licensed facilities; call sign: \_\_\_\_\_

☐ MAJOR modification of construction permit; call sign: \_\_\_\_\_

File No. of construction permit: \_\_\_\_\_

☐ MINOR modification of construction permit; call sign: \_\_\_\_\_

File No. of construction permit: \_\_\_\_\_

☒ AMENDMENT to pending application; Application file number: \_\_\_\_\_ BPH-901224ME

NOTE: It is not necessary to use this form to amend a previously filed application. Should you do so, however, please submit only Section I and those other portions of the form that contain the amended information.

3. Is this application mutually exclusive with a renewal application? ☐ Yes ☒ No

If Yes, state:

Call letters	Community of License	
	City	State

<b>Section V-B - FM BROADCAST ENGINEERING DATA</b>	<b>FOR COMMISSION USE ONLY</b> File No. _____ ASB Referral Date _____ Referred by _____
--	--

Name of Applicant

**Wind n'Sea FM Limited Partnership**

Call letters (if issued)

**NEW**

Is this application being filed in response to a window? ☒ Yes ☐ No

If Yes, specify closing date: \_\_\_\_\_

Purpose of Application: (check appropriate boxes)

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Construct a new (main) facility            | <input type="checkbox"/> Construct a new auxiliary facility                         |
| <input type="checkbox"/> Modify existing construction permit for main facility | <input type="checkbox"/> Modify existing construction permit for auxiliary facility |
| <input type="checkbox"/> Modify licensed main facility                         | <input type="checkbox"/> Modify licensed auxiliary facility                         |

If purpose is to modify, indicate below the nature of change(s) and specify the file number(s) of the authorizations affected.

- |   |  |
|---|--|
| <input type="checkbox"/> Antenna supporting-structure height  | <input type="checkbox"/> Effective radiated power  |
| <input type="checkbox"/> Antenna height above average terrain | <input type="checkbox"/> Frequency                 |
| <input checked="" type="checkbox"/> Antenna location          | <input type="checkbox"/> Class                     |
| <input type="checkbox"/> Main Studio location                 | <input type="checkbox"/> Other (Summarize briefly) |

File Number(s) **901224ME**

1. Allocation:

Channel No.	Principal community to be served:			Class (check only one box below)
<b>295A</b>	City	County	State	<input checked="" type="checkbox"/> A <input type="checkbox"/> B1 <input type="checkbox"/> B <input type="checkbox"/> C3 <input type="checkbox"/> C2 <input type="checkbox"/> C1 <input type="checkbox"/> C
	<b>Ocean City</b>	<b>Worcester</b>	<b>MD</b>	

2. Exact location of antenna.

(a) Specify address, city, county and state. If no address, specify distance and bearing relative to the nearest town or landmark.

**NE Corner MD 589 & MD 90 Cty. Worcester MD.**

(b) Geographical coordinates (to nearest second). If mounted on element of an AM array, specify coordinates of center of array. Otherwise, specify tower location. Specify South Latitude or East Longitude where applicable; otherwise, North Latitude or West Longitude will be presumed.

Latitude	<b>38<sup>0</sup></b>	<b>22'</b>	<b>52" N</b>	Longitude	<b>75<sup>0</sup></b>	<b>10'</b>	<b>32" W</b>
----------	-----------------------	------------	--------------	-----------	-----------------------	------------	--------------

3. Is the supporting structure the same as that of another station(s) or proposed in another pending application(s)? ☒ Yes ☐ No

If Yes, give call letter(s) or file number(s) or both.

**Emergency Management & EMS Stations**

If proposal involves a change in height of an existing structure, specify existing height above ground level including antenna, all other appurtenances, and lighting, if any.

**Existing Tower. No height change proposed.**

SECTION V-B - FM BROADCAST ENGINEERING DATA (Page 2)

4. Does the application propose to correct previous site coordinates?  
If Yes, list old coordinates.

☐ Yes ☒ No

Latitude		Longitude	
----------	--	-----------	--

5. Has the FAA been notified of the proposed construction?

☒ Yes ☐ No

If Yes, give date and office where notice was filed and attach as an Exhibit a copy of FAA determination, if available.

Exhibit No.  
A

Date 1/13/91 Office where filed 90-REA-1294-DE JFK A/P

6. List all landing areas within 8 km of antenna site. Specify distance and bearing from structure to nearest point of nearest runway.

	Landing Area	Distance (km)	Bearing (degrees True)
(a)	<u>Ocean City</u>	<u>7.8 km</u>	<u>145 T.</u>
(b)	<u></u>	<u></u>	<u></u>

7. (a) Elevation: (to the nearest meter)

(1) of site above mean sea level;

6.1m meters

(2) of the top of supporting structure above ground (including antenna, all other appurtenances, and lighting, if any); and

121.9m meters

(3) of the top of supporting structure above mean sea level [(aX1) + (aX2)]

128.0m meters

- (b) Height of radiation center: (to the nearest meter) H = Horizontal; V = Vertical

(1) above ground

96.7m meters (H)

96.7m meters (V)

(2) above mean sea level [(aX1) + (bX1)]

102.8m meters (H)

102.8m meters (V)

(3) above average terrain

100.0m meters (H)

100.0m meters (V)

8. Attach as an Exhibit sketch(es) of the supporting structure, labelling all elevations required in Question 7 above, except item 7(b)(3). If mounted on an AM directional-array element, specify heights and orientations of all array towers, as well as location of FM radiator.

Exhibit No.  
B

9. Effective Radiated Power:

(a) ERP in the horizontal plane

3.0 kw (H) 3.0 kw (V)

(b) Is beam tilt proposed?

☐ Yes ☒ No

If Yes, specify maximum ERP in the plane of the tilted beam, and attach as an Exhibit a vertical elevational plot of radiated field.

kw (H)  kw (V)

-Polarization

Exhibit No.  
DNA

SECTION V-8 - FM BROADCAST ENGINEERING DATA (Page 3)

10. Is a directional antenna proposed?

☐ Yes ☒ No

If Yes, attach as an Exhibit a statement with all data specified in 47 C.F.R. Section 73.316, including plot(s) and tabulations of the relative field.

Ex: **DNA** No.

11. Will the proposed facility satisfy the requirements of 47 C.F.R. Sections 73.315(a) and (b)?

☒ Yes ☐ No

If No, attach as an Exhibit a request for waiver and justification therefor, including amounts and percentages of population and area that will not receive 3.16 mV/m service.

Ex: **DNA** No.

12. Will the main studio be within the protected 3.16 mV/m field strength contour of this proposal?

☒ Yes ☐ No

If No, attach as an Exhibit Justification pursuant to 47 C.F.R. Section 73.1125.

Ex: **DNA** No.

13. (a) Does the proposed facility satisfy the requirements of 47 C.F.R. Section 73.207?

☒ Yes ☐ No

(b) If the answer to (a) is No, does 47 C.F.R. Section 73.213 apply?

☐ Yes ☐ No

(c) If the answer to (b) is Yes, attach as an Exhibit a justification, including a summary of previous waivers.

Ex: **DNA** No.

(d) If the answer to (a) is No and the answer to (b) is No, attach as an Exhibit a statement describing the short spacing(s) and how it or they arose.

Ex: **C** No.

(e) If authorization pursuant to 47 C.F.R. Section 73.215 is requested, attach as an Exhibit a complete engineering study to establish the lack of prohibited overlap of contours involving affected stations. The engineering study must include the following:

Ex: **DNA** No.

- (1) Protected and interfering contours, in all directions (360°), for the proposed operation.
- (2) Protected and interfering contours, over pertinent arcs, of all short-spaced assignments, applications and allotments, including a plot showing each transmitter location, with identifying call letters or file numbers, and indication of whether facility is operating or proposed. For vacant allotments, use the reference coordinates as the transmitter location.
- (3) When necessary to show more detail, an additional allocation study utilizing a map with a larger scale to clearly show prohibited overlap will not occur.
- (4) A scale of kilometers and properly labeled longitude and latitude lines, shown across the entire exhibit(s). Sufficient lines should be shown so that the location of the sites may be verified.
- (5) The official title(s) of the map(s) used in the exhibit(s).

14. Are there: (a) within 60 meters of the proposed antenna, any proposed or authorized FM or TV transmitters, or any nonbroadcast (except citizens band or amateur) radio stations; or (b) within the blanketing contour, any established commercial or government receiving stations, cable head-end facilities, or populated areas; or (c) within ten (10) kilometers of the proposed antenna, any proposed or authorized FM or TV transmitters which may produce receiver-induced intermodulation interference?

☒ Yes ☐ No

If Yes, attach as an Exhibit a description of any expected, undesired effects of operations and remedial steps to be pursued if necessary, and a statement accepting full responsibility for the elimination of any objectionable interference (including that caused by receiver-induced or other types of modulation) to facilities in existence or authorized or to radio receivers in use prior to grant of this application. (See 47 C.F.R. Sections 73.315(b), 73.316(a) and 73.318.)

Ex: **D** It No.

15. Attach as an Exhibit a 75 minute series U.S. Geological Survey topographic quadrangle map that shows clearly, legibly, and accurately, the location of the proposed transmitting antenna. This map must comply with the requirements set forth in Instruction V. The map must further clearly and legibly display the original printed contour lines and data as well as latitude and longitude markings, and must bear a scale of distance in kilometers.

Exl **G** No.

16. Attach as an Exhibit *(name the source)* a map which shows clearly, legibly, and accurately, and with the original printed latitude and longitude markings and a scale of distance in kilometers:

Ex **H** No.

(a) the proposed transmitter location, and the radials along which profile graphs have been prepared;

(b) the 318 mV/m and 1 mV/m predicted contours; and

(c) the legal boundaries of the principal community to be served.

17. Specify area in square kilometers (1 sq. mi. = 259 sq. km.) and population (latest census) within the predicted 1 mV/m contour.

Area 1838 sq. km. Population 27,065

18. For an application involving an auxiliary facility only, attach as an Exhibit a map *(Sectional Aeronautical Chart or equivalent)* that shows clearly, legibly, and accurately, and with latitude and longitude markings and a scale of distance in kilometers:

E **DNA** No.

(a) the proposed auxiliary 1 mV/m contour; and

(b) the 1 mV/m contour of the licensed main facility for which the applied-for facility will be auxiliary. Also specify the file number of the license.

19. Terrain and coverage data *(to be calculated in accordance with 47 C.F.R. Section 73.313)*

Source of terrain data: *(check only one box below)*

☐ Linearly Interpolated 30-second database ☒ 75 minute topographic map

(Source: \_\_\_\_\_)

☐ Other *(briefly summarize)*

### Maps used in presentation

Exhibit G - Selbyville MD 38075-D2

Exhibit H - Salisbury MD 1/250,000 38074-A1

Radial Computations - MD/DE Series 380785 7.5' B,C,D,E. 1,2,3,4.

## SECTION V-8 - FM BROADCAST ENGINEERING DATA (Page 5)

Radial bearing (degrees True)	Height of radiation center above average elevation of radial from 3 to 16 km (meters)	Predicted Distances	
		To the 316 mV/m contour (kilometers)	To the 1 mV/m contour (kilometers)
<b>**090.</b>	<b>102.8</b>	<b>13.9</b>	<b>24.5</b>
<b>000.</b>	<b>99.4</b>	<b>13.6</b>	<b>24.1</b>
<b>045</b>	<b>102.5</b>	<b>13.9</b>	<b>24.5</b>
<b>090</b>	<b>102.8</b>	<b>13.9</b>	<b>24.5</b>
<b>135</b>	<b>102.8</b>	<b>13.9</b>	<b>24.5</b>
<b>180</b>	<b>102.5</b>	<b>13.9</b>	<b>24.5</b>
<b>225</b>	<b>96.7</b>	<b>13.5</b>	<b>23.8</b>
<b>270</b>	<b>96.7</b>	<b>13.5</b>	<b>23.8</b>
<b>315</b>	<b>96.7</b>	<b>13.5</b>	<b>23.8</b>

\*Radial through principal community. If not one of the major radials. This radial should NOT be included in the calculation of HAAT.

## 20. Environmental Statement (See 47 C.F.R. Section 1.1201 et seq.)

Would a Commission grant of this application come within Section 11.307 of the FCC Rules, such that it may have a significant environmental impact? ☐ Yes ☐ No

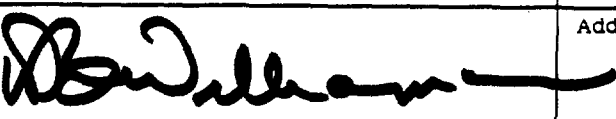
If you answer Yes, submit as an Exhibit an Environmental Assessment required by Section 11.311.

Ex. ☒ No.

If No, explain briefly why not.

## CERTIFICATION

I certify that I have prepared this Section of this application on behalf of the applicant, and that after such preparation, I have examined the foregoing and found it to be accurate and true to the best of my knowledge and belief.

Name (Typed or Printed) <b>D.B. Williamson P.E</b>	Relationship to Applicant (e.g., Consulting Engineer) <b>Consulting Engineer</b>
Signature 	Address (Include ZIP Code) <b>P.O. Box 246 Queenstown MD 21658-0246</b>
Date <b>July 10, 1991</b>	Telephone No. (Include Area Code) <b>( ) 301-827-7431</b>

**Radio Station NEW  
Ocean City MD.**

**Engineering Data  
In Support of Application for  
a New Station**

**Proposed Operation**

**Channel - 295A (106.9 mhz.)  
Power - 3 Kw. EHAAT 100.0m.**

**Authority - MM 89-578**

**(Issue 3a 7/10/91)**

**Prepared by**

**CAN-AM CONSULTANTS LTD.**

**Engineering Services From Florida to the Arctic Circle  
P.O. Box 246 Queenstown MD USA 21658-0246**

**CAN-AM CONSULTANTS LTD.**

**Engineering Services From Florida to the Arctic Circle**

## I N D E X.

<u>Page</u>	<u>Exhibit</u>	<u>Item.</u>
1-2		(1) Introduction
3-5	C	(2) Channel Study
6	C	(3) Interference Study
7	D	(4) Interference to Other Services.
8-9	E	(5) Radio Frequency Environmental Assessment.
10		(6) System Description
10		(7) Summary
11		(8) Tabulation of Service Contours (a) Proposed Operation
12	F	(9) Saturation Effects
12		(10) Population Density Figures.
13		(11) Special Considerations
14	B	Antenna Elevation Sketch
15	A	FAA Clearance Forms.
16	G	Map - Transmitter Site Location.
17	H	Map - Proposed Contours
18		Engineering Affidavit

Client : Wind n' Sea FM  
Limited Partnership  
NEW Ocean City MD.

**Page 1.**

(1) Introduction.

The following Engineering Data has been prepared in support of an application by Wind n' Sea FM Limited Partnership for authority to establish a new FM (Sound) Broadcasting Station at Ocean City MD in compliance with FCC Docket MM 89-578. In order to accomplish this end, the transmitter site, transmitter, antenna, and transmission line must be established and installed as described in this report. A complete study, coverage maps, and pertinent information as required under the rules is included. It is shown that the proposal meets all requirements of current FCC Rules. It is shown also that the required spacings to co-channel and adjacent channel assignments and allocations are met within the Rules as shown in the analysis under Docket MM 89-232. The study also illustrates that no other station on the same channel or stations on adjacent channels will be precluded from upgrading facilities should this proposal be approved. The study shows, also, that existing stations, assignments, or allocations are presently limited to present operating parameters by existing conditions.

Negotiations with the FAA regarding the site chosen for the December 20/91 application have resulted in the following decision by the FAA.

(a) The site on Lot 1 Cathell Rd. was ruled to be a Hazard to Air Navigation as shown by Aeronautical study 91-AEA-0453-OE.

(b) The FAA requires further study to present a detailed analysis of the situation.

The applicant has decided to change transmitter site to a location which allready has FAA clearances.

The area in this district of Maryland is environmentally sensitive and there is no workable site available within the confines of the exact co-ordinates as specified in the Docket, i.e. 38-20-00, 75-05-18. (The printed 30-20-00 latitude shown in the Report & Order is obviously a misprint.) The proposed site has been chosen to provide proper protected spacings, FAA clearance due to Ocean City Airport, local zoning restrictions, and 73.315 requirements. Due to the critical spacings to co-channel & adjacent channel stations, a detailed analysis is provided as part of this report.

Spacing Studies included in this report were obtained from commercial database services. Can-Am Consultants Ltd. believes this information to be correct and accurate. However, the Company accepts no responsibility for incorrect or incomplete information from these sources.

Client : WIND N' SEA

Page 3

Location : Ocean City MD

Class A FM Channel Study

Channel : 295A Location : 38-22-52N 75-10-32W Inci. Translators.

Data Source : FCC.

Reference : MM88-375 pge 11.

Call Sign Status	City/State File	Channel Class	ERP kw HAAT	Location	Brg. To/Frm	Dist. km.	Req'd km.
NEW CP	Margate Cty NJ BPH870922MT	241 A	3.0Ci 68.9m	39-16-13 74-35-02	027.2 207.2	111.4 +103.4	8. OK
WHUR Lic.	Washington DC BLH5867	242 B	24.0 204.2m	38-57-01 77-04-47	291.5 111.5	177.0 +163.0	14. OK
WFMV Lic	Blairstown NJ BLH840214AC	292 A	0.34Ci 262.1m	41-02-51 74-58-22	017.3 197.3	311.2 +284.2	27. OK
WHTG Lic	Eatontown NJ BLH4841	292 A	3.0Ci 53.3m	40-16-10 74-04-19	023.9 203.9	230.4 +203.4	27. OK
WHTG CP	Eatontown NJ BPH861031IE	292 A	3.0Ci 70.7m	40-16-10 74-04-19	023.9 203.9	230.4 +203.4	27. OK
WSLT Lic	Ocean Cty NJ BLH870622KC	292 A	3.0Ci 94.5m	39-13-40 74-40-57	024.3 204.3	103.4 +76.4	27. OK
W292AD CP	Riverdale Md BPFT454	292 D	0.01H 30.5m	38-57-15 76-54-42	293.5 113.5	163.6 **	** **
W292CF Lic	Dover DE BLFT860614TP	292 D	0.01H 22.9m	39-09-28 75-31-38	340.7 160.7	91.6 **	** **
NEW Alloc	Pocomoke Cty MD D80-90	293 A	3.0Ci 100.0m	38-04-30 75-34-12	225.5 045.5	48.4 +21.4	27 OK

CAN-AM CONSULTANTS LTD.

Engineering Services From Florida to the Arctic Circle

Client : WIND N' SEA

Page 4

Location : Ocean City MD

Class A FM Channel Study

Channel : 295A Location : 38-22-52N 75-10-32W Incl. Translators.

Data Source : FCC.

Reference : MM88-375 pge 11.

Call Sign	City/State	Channel	ERP kw	Location	Brg.	Dist.	Req'd
Status	File	Class	HAAT		To/Frm	km.	km.

WWMX	Baltimore MD	293	7.4Ci	39-20-10	310.2	166.0	69.
Lic	BLH870909KC	B	370.9m	76-38-59	130.2	+97.0	OK

NEW	N. Cape May NJ	294	3.0Ci	38-58-11	016.2	68.2	64.
PAdd	D84-231	A	100.0m	74-57-20	196.2	+4.2	OK

WBMW	Manassas VA	294	22.4CD	38-52-28	288.8	186.2	105.
Lic	BLH840329AA	B	222.5m	77-13-24	108.8	+81.2	OK

WRKZ	Hershey PA	294	47.3Ci	40-10-16	328.9	233.6	105.
Lic	BLH840921BY	B	150.6m	76-35-50	148.9	+128.6	OK

WRKZ	Hershey PA	294	14.0Ci	40-10-16	328.9	233.6	105.
CP	BPH861217IA	B	282.9m	76-35-50	148.9	+128.6	OK

WKDN	Camden NJ	295	38.0Ci	39-54-33	002.2	170.0	163.
Lic.	BLH790119AC	B	167.6m	75-06-00	182.2	+7.0	OK

WARX	Hagerstown MD	295	15.4Ci	39-29-43	301.2	244.4	163.
Lic	BLH840605CK	B	260.3m	77-36-42	121.2	+81.4	OK

**CAN-AM CONSULTANTS LTD.**

Engineering Services From Florida to the Arctic Circle

Call Sign	City/State	Channel	ERP kw	Location	Brg.	Dist.	Req'd
Status	File	Class	HAAT		To/Frm	km.	km.

Client : WIND N' SEA

Location : Ocean City MD

Class A FM Channel Study

Channel: 295A Location: 38-22-52N 75-10-32W Incl. Translators.

Data Source : FCC.

Reference : MM88-375 pae 11.

WSKX	Suffolk VA	295	100.00i	36-32-51	203.9	222.5	222.
Appl	BMPH880325IB	C	385.8m	76-11-04	023.9	+0.5	OK

WDLE	Federalburg MD	296	3.86Ci	38-46-02	311.1	65.6	64.
Lic	BLH8702271Y	A	124.1m	75-44-45	131.1	+1.6	OK

W296AB Hanover PA	296	0.01H	39-51-22	315.5	224.3	**
Lic. BLFT800516ID	D	30.5m	76-56-59	135.5	**	**

WRQX	Washington DC	297	36.00I	38-57-01	291.5	177.0	69.
Lic.	BLH791012AB	B	179.8m	77-04-47	111.1	+108.0	OK

NEW	Atlantic Cty NJ	297	25.00i	39-21-06	029.8	124.6	48.
Alloc	D80-90	B1	100.0m	74-27-24	209.8	+76.6	OK

NEW	Atlantic Cty NJ	297	25.00i	39-23-57	031.3	132.9	48.
App]	BPH870827NY	B1	100.0m	74-22-17	211.3	+84.9	OK

Note: There are 20 applications for this channel. Only closest shown.

WKRE	Exmore VA	298	50.00i	37-31-46	214.5	114.6	69.
Lic.	BLH7464	B	79.2m	75-54-44	034.5	+45.6	OK

WBYO	Boyertown PA	298	30.00iD	40-24-15	349.8	228.7	69.
Lic	BLH7814	B	185.9m	75-39-09	169.8	+159.7	OK

>>>>>>>>>>>>>>>End of copy 0226 70991 >>>>>>>Chqe 9987>>>>>>

(3) Interference Study. (Exhibit C)

A complete study was made using the proposed NEW site and the required spacings to co-channel, adjacent channel assignments, allocations and operating stations. The granting of A status to Channel 295 at Ocean City MD. would not preclude the upgrading of any other licensed facility, proposed facility or allocation, which is not already precluded, to next higher class. Station WDLE Federalsburg MD (presently silent) was granted an increase in power to 6 kw. This operation is protected from interference as shown by the analysis which follows. The new 294A allocation at N. Cape May NJ. shown on the database, is restricted to Class A 3 kw status by adjacent channel 295B at WKDN Camden NJ. The proposed spacing from Cape May to WKDN is 105.2 km., which is short of the 113 km required for 6 kw operation by 7.8 km. For proper spacing the site would be located in the Atlantic Ocean.

The application of the spacing table for this operation located on page 11 of FCC Docket 89-232 protects all stations in accordance with the rules. Examination of the the study included shows all station spacings to be within the table.

Exhibit D.

(4) Interference To Other Services.

Within the principle city contour of the proposed station there are located a number of Public Service stations operated by the County Emergency Management group, the Maryland Natural Resources Patrol and the State Police. The various operating frequencies have already been programmed into a computerized intermodulation study for NEW. NEW should not generate interference with existing services.

The applicant Partnership is aware of the requirements imposed under Sections 73.315, 73.316, and 73.318 of the Rules, and if this application is granted, the Applicant will accept responsibility, in accordance with the Rules, for the servicing of complaints of interference caused by the incoming service.

Exhibit E.

(5) Radio Frequency Environmental Assessment.

Wind 'n Sea FM Limited Partnership proposes to construct a new FM facility near the Town of Ocean Pines MD. The project is subject to the rules of the Federal Communications Commission and the Federal Aviation Administration. The site is located within the County of Worcester corporate limits and is adjacent to a private access road which borders the site. No additional access roads are therefore required.

The proposed construction of transmission facilities will in no way impact the present community services. The proposal meets safety requirements of OSHA in that the power density proposed is well below the maximum permissible OSHA level of  $10 \text{ mw/cm}^2$ . In addition the lower bay of the new antenna will be 90m above ground level or at least 70m above the worst case ANSI minimums as specified in the bulletins. The base of the antenna will be fenced to an extent well beyond that which considered necessary by the regulation. In addition, the property is not used by the public and the nature of the land and prominent warning signs make trespassing unlikely beyond the limits of protective fencing.

The presence of the proposed tower will not be the subject of controversy in the community. The antenna location is not located near any property listed in the National Register of Historic Places or in a local or state version thereof; in the National Register of National Landmarks; or in an area of study in the National Wilderness Preservation Act or in the Wild and Scenic Rivers Act. The construction and operation of the proposed facility have had no effect on any species identified on the Endangered Species List. The project will not create or precipitate any identifiable long term changes in the diversity of animal species, the population density of any animal species, or change the behavior patterns of any animal population.

Exhibit 6. Environmental (Continued).

The proposal will not utilize any unusually fragile environmental area. The proposed tower will require no changes to the contour of the surface land nor will any change occur to surface water turbidity. The project will not cause or precipitate any identifiable long term changes in the diversity of plant species, or in the population density of an individual native species of plants.

In summary, the proposal will have no special environmental significance. There should be no further effect on scenic, cultural, historic, architectural, archeological, or recreational uses of surrounding lands, beyond that now being experienced. There will be no deforestation, water diversion, wetland fill, or other extensive change of surface features. The proposal will not create, directly or indirectly, a permanent environmental change to animals, plants, land, or humans.

References.

Federal Communications Commission  
1919 M Street NW  
Washington DC 20554  
Chief Mass Media Bureau.

Federal Aviation Administration  
Eastern Region  
JFK International A/P  
Fitzgerald Federal Bldg.,  
Jamaica NY 11430

December 20/90.  
Updated March 15, 1991.  
Updated July 10, 1991.



D.B. Williamson P.E.  
Consulting Engineer  
Wind 'n' Sea FM Partnership  
Limited. Ocean City MD.

(6) System Description.

(a) Antenna. The antenna system proposed will be manufactured by Electronics Research Industries and will bear Continental Electronics designation G5CPM Series 2A. The antenna will consist of two bays, circularly polarized, fed at the end with 1 5/8" Helix type air filled transmission line. The antenna is known in the trade as the "Rototiller". The antenna power gain is 0.9971 (-0.0128 db.) in vertical & horizontal planes. The antenna will be side mounted on the tower with the electrical centre 96.7m AGL, 102.8m AMSL. The electrical centre will be 100.0m AAT.

(7) Summary.

Channel - 295A      Frequency - 106.9 mhz.

Co-ordinates - 38-22-52 N    75-10-32 W

Transmitter - Type accepted.

Transmission Line - 125m Andrew HJ7-50B Helix cable or equivalent.  
(Attenuation - 0.673 db/100m).

Iso-Coupler - ERI Lo-Power.

Antenna - Continental G5CPM-Series2A.

Tower - 121.9m AGL 128.0m AMSL overall height.

Radiating Centre - 96.7m AGL 100.0m AAT  
102.8m AMSL

ERP -

Tx pwr out	3.6517 kw.	5.625 dbk.
Line loss	- 0.643 kw.	-0.841 db.
Antenna Pwr in	3.0087 kw.	4.784 dbk.
Antenna Gain	x 0.9971	-0.0128 db.
ERP	3.0000 kw.	4.7712 dbk.

(8) Tabulation of Proposed Service Contours.

(a) Proposed Operation.

<u>Azimuth</u> <u>(deg)</u>	<u>HAAT</u> <u>(m)</u>	<u>ERP</u> <u>(kw)</u>	<u>Dist. to 70 dbu.</u> <u>(km)</u>	<u>Dist. to 60 dbu.</u> <u>(km)</u>
000	99.4	3.0	13.6	24.1
045	102.5	3.0	13.9	24.5
090	102.8	3.0	13.9	24.5
135	102.8	3.0	13.9	24.5
180	102.5	3.0	13.9	24.5
225	96.7	3.0	13.5	23.8
270	96.7	3.0	13.5	23.8
315	96.7	3.0	13.5	23.8

Average 100.0

<u>Average Terrain Elevation</u>	2.8m
<u>Radiating Centre AAT</u>	100.0m
<u>Radiating Centre AMSL</u>	102.8m
<u>Radiating Centre AGL</u>	96.7m
<u>Ground Elevation</u>	6.1m.